

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67830 of 2023

Arising Out of PS. Case No.-1013 Year-2023 Thana- Excise P.S. District- Jamui

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Dhiraj Kumar Son Of Sadanand Ray @ Sadanand Mahatha Resident Of
Village - Khariyodih, P.S. - Deori, District - Giridih, State - Jharkhand

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Niranjan Parihar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 211.500 liters of country made liquor from vehicle bearing Reg. No. JH10CK-0927. Police arrested this petitioner while he was taking breakfast in a hotel.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. It is further submitted that petitioner has no concern either with the vehicle in question or with the seized liquor. Nothing has been



recovered from the conscious possession of the petitioner. There is no independent witness of the seizure list rather they are police personnel which violates the provision of Section 100 Cr.P.C. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 15.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with JAM P.S. Case No. 1013 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Spl. Judge, Excise, IInd Jamui.

(Sunil Kumar Panwar, J)

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